

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

ANDREA FREEMAN, et al,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:12-CV-01255-DRH
)	
)	
BERKELEY CONTRACT PKG, LLC.,)	
et al,)	
)	
Defendants.)	

ORDER GRANTING PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT AND
CERTIFYING CLASSES PURSUANT TO FED. R. CIV. P. 23

Based on the parties' Joint Motion for Preliminary Approval of Class Action Settlement (Doc. 116), as well as the record as a whole, the Court now grants the parties' Preliminary Approval of said settlement as follows:

1. The settlement includes two settlement classes: (1) The FLSA Class and (2) the IWPCA Class (collectively, "Settlement Class).
2. The FLSA Class includes 113 persons and is defined as follows:

All current and former employees of Berkeley Contract Packaging, LLC, and/or The R.E.M. Group, Inc., who were employed as line workers at the Berkeley plants located at either 5628 Inner Park Drive, Edwardsville, Illinois 62025 or 22 Gateway Commerce Center Drive, Edwardsville, Illinois 62025 at any time from Jul 9, 2011 to the present and who: (a) worked in excess of forty (40) hours in a single workweek; and (b) previously submitted a Consent Form opting-in to be a class member for the FLSA Claims, as set forth in Exhibits 1 and 2 to Doc. 109 filed in the Lawsuit.

3. The IWPCA Class includes approximately 1,000 persons and is defined as follows:

All current and former employees of Berkeley Contract Packaging, LLC, and/or The R.E.M. Group, Inc., who were employed as line workers at the Berkeley plant located at either 5628 Inner Park Drive, Edwardsville, Illinois 62025 or 22 Gateway Commerce Center Drive, Edwardsville, Illinois 62025 at any time from September 11, 2008 to the present. Excluded from the IWPCA Class are: (1) all judges to whom this case is assigned; and (2) any current officer or director of Berkeley and/or The R.E.M. Group

4. This Court **FINDS** that the Settlement Class may be certified for settlement purposes pursuant to Fed.R.Civ.P. 23(b)(3), as all requirements for certification in Rules 23(a) and 23(b)(3) have been satisfied.
5. This Court further **FINDS** that the proposed notice to class members gives fair notice of the settlement and the rights that settlement class members have regarding it, and satisfies the requirements for Fed.R.Civ.P. 23(c), and of due process.
6. Notice shall be mailed to class members no later than 14 days from today (March 27, 2015), the date this Order is granted, or by Friday April 10, 2015. Class members shall have until Monday, May 25, 2015 to enter appearances (either personally or through counsel), to request exclusion from the case, or to object to the settlement.
7. The FLSA Class and the IWPCA Class are certified for settlement purposes pursuant to Fed. R. Civ. P. 23. The Court finds that

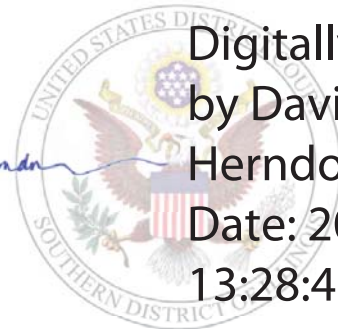
these classes meet the Fed. R. Civ. P. 23(a) and Fed. R. Civ. P. 23(b)(3) requirements;

8. The named Plaintiffs shall serve as representatives for the certified Illinois Fed. R. Civ. P. 23 class; Growe Eisen Karlen and Evans Blasi shall serve as Class Counsel for both classes.
9. The case is set for a fairness hearing on July 15, 2015 at 1:30 pm in the East St. Louis Courthouse before Judge David R. Herndon.
10. The parties are ordered to conform the approved notice to include the dates described in this order, and to otherwise perform under the terms of the settlement.

IT IS SO ORDERED.

Signed this 27th day of March, 2015.

David R. Herndon



Digitally signed
by David R.

Herndon

Date: 2015.03.27

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United States District Court